

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADVANCEME, INC.,

Plaintiff,

v.

RAPIDPAY LLC, FIRST FUNDS LLC,
MERCHANT MONEY TREE, INC.,
REACH FINANCIAL, LLC, and FAST
TRANSACTION, INC. d/b/a SIMPLE CASH,

Defendants.

CASE NO. 6:05-CV-424 (LED – JDL)

ADVANCEME, INC.,

Plaintiff,

v.

AMERIMERCHANT, LLC,

Defendant.

CASE NO. 6:06-CV-082 (LED – JDL)

JURY TRIAL DEMANDED

**PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO FILE
AN OPPOSITION TO DEFENDANTS' MOTION FOR MODIFICATION OF
MAGISTRATE JUDGE LOVE'S *MARKMAN* MEMORANDUM OPINION AND ORDER
IN EXCESS OF PAGE LIMIT**

Plaintiff, AdvanceMe, Inc., requests this Court for leave to file its Opposition To Defendants' Motion for Modification of Magistrate Judge Love's *Markman* Memorandum and Opinion in excess of the fifteen (15) page limit. AdvanceMe, Inc. requests that this Court allow it to exceed the fifteen page limit by five pages, excluding attachments. Plaintiff requests the

MOTION TO FILE IN EXCESS OF PAGE LIMIT RE
ADVANCEME'S OPPOSITION TO DEFENDANTS'
MOTION FOR MODIFICATION OF *MARKMAN* ORDER

CASE NO. 6:05-CV-424
CASE NO. 6:06-CV-082

additional pages because it has determined that the current length of the brief is necessary to best present its argument to the Court.

Therefore, AdvanceMe, Inc. respectfully requests that this Court grant it leave to file its Opposition To Defendants' Motion To Compel in excess of the page limits previously set by this Court. Counsel for AdvanceMe, Inc. has conferred with Joseph Gray, counsel for Defendants. Defendants have stated that they do not oppose this motion. An Order reflecting same is attached for the Court's convenience.

Respectfully submitted,

DATED: January 24, 2007

By: /s/ Robert C. Matz
PAUL, HASTINGS, JANOFSKY & WALKER LLP
Ronald S. Lemieux
(CA Bar No. 120822) (Admitted Pro Hac Vice)
Michael N. Edelman
(CA Bar No. 180948) (Admitted Pro Hac Vice)
Vidya R. Bhakar
(CA Bar No. 220210) (Admitted Pro Hac Vice)
Robert C. Matz
(CA Bar No. 217822) (Admitted Pro Hac Vice)
Shanée Y. Williams
(CA Bar No. 221319) (Admitted Pro Hac Vice)

Five Palo Alto Square, Sixth Floor
Palo Alto, CA 94306-2155
Telephone: (650) 320-1800
Telecopier: (650) 320-1900
Email: ronlemieux@paulhastings.com

IRELAND, CARROLL & KELLEY, P.C.
Otis W. Carroll, Attorney-in-Charge
State Bar No. 03895700
Deborah Race
State Bar No. 16448700
6101 South Broadway, Suite 500
Tyler, TX 75703
Telephone: 903-561-1600
Facsimile: 903-581-1071
Email: fedserv@icklaw.com

ATTORNEYS FOR PLAINTIFF ADVANCEME, INC.

CERTIFICATE OF CONFERENCE

The undersigned counsel for AdvanceMe, Inc. has conferred with Joseph Gray, counsel for Defendants. Defendants have stated that they do not oppose this motion.

/s/ Robert C. Matz
Robert C. Matz

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served a copy of this document via the court's CM/ECF system pursuant to Local Rule cv-5(a)(3) on this the 24th day of January, 2007. Any other counsel of record will be served by first class mail on this same date.

/s/ Robert C. Matz
Robert C. Matz